



Legislative Bulletin.....February 14, 2001

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H.R. 554 -- Rail Passenger Disaster Family Assistance Act (Young (AK))

Order of Business: The bill will be considered under an open rule.

Summary: Current law contains a provision establishing a formal system for assistance to families of passengers involved in *aircraft accidents*. H.R. 554 will add a new section to this authority establishing a similar system to provide assistance to families of passengers involved in *rail passenger accidents*. The bill applies to accidents in the US involving interstate intercity rail carriers or interstate or intrastate high-speed rail carries, but does not apply to accidents involving tourist, historic, or excursion rail carriers. The bill is very similar to H.R. 2681, which passed the House in the 106th Congress by voice vote on 10/4/99 but was not considered by the Senate.

Cost to Taxpayers: CBO estimated that the 106th version of the bill (H.R. 2681) would cost less than \$500,000 a year. There is no revised CBO estimate for H.R. 554.

Constitutional Authority: In the 106th Congress, the Transportation Committee found authority under article I, section 8 of the Constitution (Powers of Congress), but failed to reference a specific Constitutional Authority.

Does the Bill Create New Federal Programs or Rules: YES, the bill:

- 1) Requires all rail passenger carriers to submit to the Transportation Secretary and NTSB Chairman a detailed plan covering at least 15 categories outlined in the bill, including:
 - a) Establishment of a toll-free number with staff to man it,
 - b) An assurance that families will be consulted on any monuments and inscriptions,
 - c) An assurance that they will “provide reasonable compensation” to the non-profit that NTSB chooses to handle family outreach, and
 - d) An assurance that they will assist the family get to the accident location and provide for their physical care;

- 2) Creates a new role for the NTSB to coordinate activities following railroad accidents including gathering the names of passengers, and naming a nonprofit organization to head up family outreach; and
- 3) Establishes a new federal law that no attorneys may make any “unsolicited communication” with railroad accident victims or relatives “before the 45th day” after the accident.

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H.R. 524 – Electronic Commerce Enhancement Act (Barcia)

Order of Business: Pursuant to a unanimous consent agreement, the bill will be considered under Suspension of the Rules.

Summary: The bill authorizes and directs the National Institutes of Standards and Technologies (NIST) to implement several initiatives related to electronic commerce, including:

- 1) Creation of an Advisory Panel to make several reports within 18 months regarding the utilization and barriers to utilization of electronic commerce practices by small and medium-sized manufactures and to make recommendations for further government action to assist manufacturers;
- 2) Creation of a pilot program to provide grants to Manufacturing Extension Partnership (MEP) Centers to assist small and medium-sized manufacturers and other businesses in utilizing electronic commerce; and
- 3) Production of a report assessing the current state of standards related to electronic linkage of manufacturers, assemblers, and suppliers, and recommending a role for the NIST in establishing standards and promoting linkage.
- 4) Submission of plans and regular progress reports to Congress on the electronic linkage of manufacturers, assemblers, and suppliers involved in the aerospace, automotive, electronics, shipbuilding, construction, home building, furniture, textile, and apparel industries.

The bill is very similar to H.R. 4429, which passed the House in the 106th Congress by voice vote on 9/26/00 but was not considered by the Senate.

Cost to the Taxpayer: Assuming appropriation of the necessary amounts, CBO estimates that the bill would cost \$10 million over the next five years. While the bill does not specifically authorize the expenditure of additional funds, the underlying program is currently unauthorized.

Does the Bill Create New Federal Programs or Rules: YES, the bill establishes a pilot program to provide additional funds for Manufacturing Partnership (MEP) Centers so that the centers may assist manufacturers in utilizing electronic commerce.

Constitutional Authority: In the 106th Congress, the Science Committee found authority under article I, section 8 of the Constitution (Powers of Congress), but failed to reference a specific Constitutional Authority.

Concerns:

- 1) Some Members may be concerned that this bill would expand government subsidies to MEP Centers. Manufacturing Partnership (MEP) Centers are not-for-profit entities that were originally authorized to receive federal funds (up to 50% of capital and operating costs) only for up to six years until the centers could become self-sufficient by generating revenues from client services and other sources. Congress has waived and altered the six-year limit in order to continue subsidizing MEP Center and the services they provide to private businesses. The MEP program was created in 1988. In FY 2000, federal funding for MEP was \$105 million.
- 2) Some Members may also oppose the federal government inserting itself via the National Institutes of Standards and Technologies into private business transactions through the establishment of standards and plans for the electronic integration of specific industries.

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